

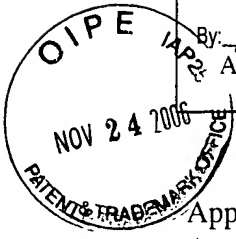
CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on November 21, 2006.

QUINE INTELLECTUAL PROPERTY LAW GROUP, P.C.

By: 

Amelia Weintraub



Appl. No. : 10/781,980
Applicant : Paul A. Luciw, et al.
Filed : February 18, 2004
TC/A.U. : 1641
Examiner : David J. Venci

Confirmation No. 1033

Docket No. : 309J-000910US
Customer No. : 22798
Client Ref No.: 2002-156-2

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Restriction Requirement mailed October 6, 2006, Applicants elect to prosecute Group III (claims 64-83 and 109-126) without traverse, although Applicants note that the material differences cited by the Examiner are unclear. (Namely, Applicants are uncertain of the meaning of the Examiner's statements that "Invention I requires isolation of proteins, while Invention II requires isolation of kinases," particularly given that kinases are a subset of proteins, and that Invention III can be used as "a drug delivery carrier.")

Applicants note with appreciation the Examiner's modification of the election of species requirement in a telephone interview on October 26, 2006, to include phosphorylation among the species of posttranslational modifications.

In response to the requirement to elect a single disclosed species, Applicants elect: from the posttranslational modification species, phosphorylation;

from the capture reagent species, option c. Antibody; recombinant protein; and
from the detection reagent species, option c. Antibody; recombinant protein.

Applicants' understanding is that, according to the above election, the Examiner will search both "antibody" and "recombinant protein" as the capture and detection reagents. If the Examiner intended for the elections in the capture reagent and/or the detection reagent species to be between an antibody and a recombinant protein, Applicants elect Antibody in both species.

Applicants' understanding is that the procedures of MPEP 803.02 will be followed, in that non-elected species will be examined if the elected species is found to be patentable.

Claims 64-70, 72-76, 78-83, 109-114, 116-119, and 121-126 read on the elected species.

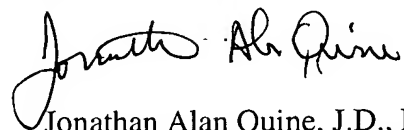
Applicants note that this election may not be taken as a dedication to the public of the non-elected groups (or any other subject matter), and Applicants expressly reserve the right to pursue the non-elected claims and to traverse any restriction requirement that may be applied in any divisional or continuation application.

CONCLUSION

If a telephone conference would expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (510) 337-7871.

QUINE INTELLECTUAL PROPERTY LAW GROUP
P.O. BOX 458, Alameda, CA 94501
Tel: 510 337-7871
Fax: 510 337-7877
PTO Customer No.: **22798**
Deposit Account No.: **50-0893**

Respectfully submitted,



Jonathan Alan Quine, J.D., Ph.D.,
Reg. No. 41,261
For Monica Elrod-Erickson,
Reg. No. 51,651

Appl. No. 10/781,980

Reply to Office communication of October 6, 2006

Attachments:

- 1) A petition to extend the period of response for one month;
- 2) A transmittal sheet;
- 3) A fee transmittal sheet;
- 4) A receipt indication postcard.